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DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION	Attorney Docket	7931-PA01		
	First Named Inventor	YURI ADRIAN TIJERINO		
	COMPLETE IF KNOWN			
	Application Number	UNKNOWN		
	Filing Date	HEREWITH		
	Group Art Unit	UNKNOWN		
<input checked="" type="checkbox"/> Declaration Submitted with Initial Filing	<input type="checkbox"/> Declaration Submitted after Initial Filing	Examiner Name	UNKNOWN	

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ADAPTIVE COMMUNICATION DATA RETRIEVAL SYSTEM

(Title of the Invention)

the specification of which

☒ is attached hereto

OR

☐ was filed on (MM/DD/YYYY) as United States Application Number or PCT International

Application Number and was amended on (MM/DD/YYYY) (if applicable.)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Numbers	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)

☐ Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto

DECLARATION - Utility or Design Patent Application

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s), or §365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Patent Application Number	PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Registered practitioner(s) name/registration number listed below:

Name	Registration Number	Name	Registration Number
CARL R. BROWN NEIL F. MARTIN JOHN L. HALLER	18,587 23,088 27,795	JAMES W. MCCLAIN ELEANOR M. MUSICK KATHY CONNELL	24,536 35,623 P 45,344

Direct all correspondence to:

Attorney Name	JOHN L. HALLER REG. NO.: 27,795				
Address	BROWN, MARTIN, HALLER & MCCLAIN, LLP				
Address	1660 UNION STREET				
City	SAN DIEGO	State	CALIFORNIA	ZIP	92101
Country	USA	Telephone	(619) 238-0999	Fax	(619) 238-0062

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR: ☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])				Last Name			
YURI ADRIAN				TIJERINO			
Inventor's Signature				Date		1/28/2000	
Residence: City	SAN DIEGO	State	CA	Country	U.S.A.	Citizenship	Venezuela
Post Office Address		17148 PATINA STREET					
Post Office Address							
City	SAN DIEGO	State	CALIFORNIA	Zip	92127	Country	U.S.A.

NAME OF SECOND INVENTOR: ☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])				Last Name			
Inventor's Signature				Date			
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		Zip		Country	

☐ Additional Inventors are being named on the supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Yuri Adrian Tijerino	:	Examiner:	
Serial No.:	09/494,188	:	Group Art Unit:	2749
Filing Date:	January 28, 2000	:	Docket No.:	01-40236-US

Title: **ADAPTIVE COMMUNICATION DATA RETRIEVAL SYSTEM**

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE
INTEREST (REVOCATION OF PRIOR POWERS)**

Commissioner for Patents
Washington, D.C. 20231

Sir:

An assignment to LEAP WIRELESS INTERNATIONAL, INC., of the entire right, title and interest in and to the above-identified patent application is filed with the United States Patent and Trademark Office. To the best of Assignee's knowledge and belief, title to the application and the right to prosecute the application are vested with the Assignee.

EXPRESS MAIL CERTIFICATE (37 CFR 1.10)

Express Mail Label No. _____

Date of Deposit _____

I hereby certify that this paper, and the papers and/or fees referred to herein as transmitted, submitted or enclosed, are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Name _____

Signature _____

0999550-112701

As Assignee of the entire interest of the above-identified patent application, all powers of attorney previously given are hereby revoked and the following attorneys are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith: Louis M. Heidelberger, Reg. No. 27,899; John W. Goldschmidt, Jr., Reg. No. 34,828; William J. McNichol, Jr., Reg. No. 31,179; Maryellen Fechery, Reg. No. 44,677; Carl H. Pierce, Reg. No. 45,730; Nanda P.B.A. Kumar, Reg. No. 44,853; Thomas J. McWilliams, Reg. No. 44,930; Tara L. Rachinsky, Reg. No. 47,875; Matthew J. Esserman, Reg. No. 41,536; Jonathan M. Darcy, Reg. No. 44,054; Todd A. Norton, Reg. No. 48,636; Frederick H. Colen, Reg. No. 28,061; Gene A. Tabachnick, Reg. No. 33,801; Maria N. Bernier, Reg. No. 37,433; Barry J. Coyne, Reg. No. 43,566; Kirsten R. Rydstrum, Reg. No. 38,603; Paul D. Bangor, Jr., Reg. No. 34,768; Charles H. Dougherty, Jr., Reg. No. 42,494; Robert D. Kucler, Reg. No. 45,908; Cheryl L. Gastineau, Reg. No. 39,469; Ian K. Samways, Reg. No. 36,664; Marc J. Farrell, Reg. No. 37,826; Stanley P. Fisher, Reg. No. 24,344; Juan Carlos A. Marquez, Reg. No. 34,072; Gerald Kiel, Reg. No. 25,116; Eugene Le Donne, Reg. No. 35,930; Jules Goldberg, Reg. No. 24,408; Lloyd McAulay, Reg. No. 20,423; Arthur Dresner, Reg. No. 24,403; Stephen Chin, Reg. No. 39,938; Samir Patel, Reg. No. 44,998; W. Scott Railton, Reg. No. 23,039; and Mary E. Buckles, Reg. No. 31,907 of Reed Smith LLP as its attorneys, with full power of substitution and revocation to file this declaration and to transact all business in the Patent and Trademark Office connected with said patent application.

Please direct all correspondence to Louis M. Heidelberger, at Reed Smith LLP, 2500 One Liberty Place, Philadelphia, PA 19103-7301. Please direct all telephone calls to Thomas J. McWilliams at 215-241-7939.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements and the like may jeopardize the validity of the application or any patent issuing thereon.

LEAP WIRELESS INTERNATIONAL, INC.

Date: 11/21/01

By: [Signature]

Name (Printed):

James E. Hoffmann

Title:

Sr. V.P., General Counsel

FOIA b 7 - D525666

ASSIGNMENT

WHEREAS I, YURI ADRIAN TIJERINO, a citizen of Venezuela ("ASSIGNOR"), have invented an invention entitled "ADAPTIVE COMMUNICATION DATA RETRIEVAL SYSTEM" (the "invention") for which an application for a United States patent was filed on January 28, 2000 and assigned Serial No. 09/494,188 (the "application"); and

WHEREAS NEOPOINT, INC., a corporation organized and existing under the laws of the state of California and having its place of business at 15545 Innovation Drive, San Diego, California 92128 ("ASSIGNEE"), desires to acquire the full and exclusive right, title and interest in the invention, the application and in any patent or similar legal protection obtained therefor in the United States, its territorial possessions and in any foreign countries.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby sells, assigns and transfers to ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest in the invention, the application and in any patent or similar legal protection obtained therefor, including any continuations, divisionals, renewals, substitutes, reissues or legal equivalents thereof, in the United States, its territorial possessions and in any foreign countries for the full term(s) for which same may be granted, including all priority rights under the International Convention. In accordance with this assignment, ASSIGNOR authorizes and requests the Commissioner of Patents and Trademarks, or foreign equivalents thereof, to issue any patents or legal equivalents obtained on the invention or the application to ASSIGNEE, its successors and assigns.

ASSIGNOR covenants that no assignment, sale, agreement or encumbrance has or will be entered into that would conflict with this Agreement;

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to the invention, the application and any patent or similar legal protection obtained therefor as may be known and accessible to ASSIGNOR and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce the invention, the application and any patent or similar legal protection obtained therefor in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

WITNESS my hand at San Diego, California
this 1st day of December, 2000.

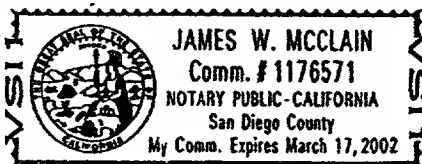
YURI ADRIAN TIJERINO

STATE OF CALIFORNIA)
COUNTY OF San Diego) ss

On 1 Dec. 2000 before me, YURI ADRIAN TIJERINO, personally appeared

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Notary Public in and for said County and State

ASSIGNMENT

WHEREAS, NeoPoint, Inc., (formally known as Innovative Global Solutions, Inc.) a California corporation (hereinafter "ASSIGNOR"), located at 15445 Innovation Drive, San Diego, California 92128, and previously located at 4225 Executive Square, 6th Floor, La Jolla, California 92037, is the assignee of the patent applications listed in the attached Schedule (A) (hereinafter referred to as "said inventions").

WHEREAS, Leap Wireless International, Inc., a Delaware corporation (hereinafter "ASSIGNEE"), located at 10307 Pacific Center Court, San Diego, California 92121, desires to acquire the entire right, title, and interest in, to, and under said inventions and in, to, and under Letters Patent or similar legal protection to be obtained therefor in the United States and in any and all foreign countries.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, ASSIGNOR hereby sells, assigns, and transfers to ASSIGNEE the full and exclusive right, title, and interest in and to said inventions in the United States and its territorial possessions and in all foreign countries and to all Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said inventions by said applications or any continuation, division, renewal, substitute, or reissue thereof, or any legal equivalent thereof in a foreign country for the full term or terms for which the same may be granted, including the right to recover for any and all past infringement of any Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said inventions prior to the date of this Assignment.

ASSIGNOR hereby warrants and covenants that no assignment, sale, agreement, or encumbrance has been or will be made or entered into which would conflict with this assignment and sale;

ASSIGNOR further warrants and covenants that within thirty (30) days from the Closing Date of the Amended and Restated Asset Purchase Agreement, dated as of December 12, 2000 (the "Agreement") ASSIGNOR shall perform the following: (1) For application 60/177,939 specified in Exhibit A attached hereto, ASSIGNOR shall obtain executed assignments from Vincent Chern, William Son and Justin Nguyen to ASSIGNOR of their full and exclusive right, title and interest in the invention and any patent applications filed thereon before a Notary Public; (2) For the unfiled patent application entitled "Voice Attachment to an Email Using a Wireless Communication Device" as specified in Exhibit A attached hereto, ASSIGNOR shall obtain an executed assignment from Vincent Chern to ASSIGNOR of his full and exclusive right, title and

interest in the invention and any patent applications filed thereon before a Notary Public; and, (3) For the unfiled patent application entitled "Jump Menu Navigation" as specified in Exhibit A attached hereto, ASSIGNOR shall obtain an executed Assignment from Clif Bate to ASSIGNOR of his full and exclusive right, title and interest in the invention and any patent applications filed thereon before a Notary Public;

ASSIGNOR further warrants and covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said applications, said inventions, and said Letters Patent and legal equivalents in foreign countries as may be known and accessible to ASSIGNOR, and that ASSIGNOR will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments, or affidavits required to apply for, obtain, maintain, issue, and enforce said applications, said inventions, and said Letters Patent and said equivalents thereof in any foreign country which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, we have hereunto set hand and seal.

Dated:

Dec 12, 2000

By:



William Son
Chief Executive Officer
NeoPoint, Inc.

County of:

San Diego

State of:

California

Personally appeared, William Son, signer and sealer of the foregoing instrument and acknowledged the same to be his free act and deed before me.

Subscribed and sworn to before me this 12th day of December, 2000
2000.

Mary Elizabeth Ferris
Notary Public

My commission expires on



SCHEDULE A

Docket No.	Serial No.	Title	Filing Date
240/222	60/177,939	Knowledge-Based Information Retrieval System for Wireless Communication Device (PROVISIONAL)	1/25/00
245/161	09/384,686	Location-Based Information Retrieval System for Wireless Communication Device	8/29/99
246/052	09/399,376	System and Method for Attaching Advertisement to an SMS Message for Wireless Transmission	9/20/99
246/052 PCT	PCT/US00/24577	System and Method for Attaching Advertisement to an SMS Message for Wireless Transmission	9/6/00
247/126	09/566,619	Method of Converting HTML/XML to HDML/WML in Real-Time for Display on Mobile Devices	5/8/00
N/A	09/494,188	Adaptive Communication Data Retrieval System	1/28/00
7931-PA01C	NYA	Adaptive Communication Data Retrieval System (filed by Yuri Tijerino ("Tijerino") and assigned to NPI through the Assignment Agreement executed by Tijerino contemporaneously with the Settlement Agreement between Tijerino and NPI dated December 1, 2000	11/1/00

En

Docket No.	Serial No.	Title	Filing Date
247/127	09/566,596	System and Method for Locating and Tracking Mobile Telephone Devices via the Internet	5/8/00
247/128	09/537,952	System and Method for Displaying the Location of a Wireless Communication Device	3/28/00
247/129	09/526,105	System and Method for Sending Local Information from a Wireless Browser to A Web Server	3/15/00
254/152	NYA	System and Method for Sampling Music on a Wireless Communication Device	Unfiled
255/084	NYA	Voice Attachment to an Email using a Wireless Communication Device	Unfiled
257/079	NYA	Jump Menu Navigation	Unfiled